REMARKS

The Office Action dated June 25, 2008 has been received and carefully noted. The above amendments to the claims, and the following remarks, are submitted as a full and complete response thereto.

Claims 1, 12, and 13 have been amended to more particularly point out and distinctly claim the subject matter of the invention. No new matter is believed to have been added and no new issues are raised which require further consideration or search. Therefore, claims 1-38 are currently pending in the application and are respectfully submitted for consideration.

Reconsideration and withdrawal of the rejections is respectfully requested in light of the following remarks.

Claims 1, 4, 5, 7-10, 13-15, 18, 20, 22, 25-27, and 33-36 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Rosen et al. (U.S. Patent Publication No. 2002/0173327, hereinafter "Rosen") in view of Grob et al. (U.S. Patent No. 5,960,362, hereinafter "Grob"). For at least the reasons discussed below, Applicants submit that the present claims recite subject matter which is neither disclosed nor suggested in either Rosen or Grob.

Independent claim 1, upon which claims 2-6 are dependent, recites a method. The method includes receiving a first signaling from a first user equipment via a serving access network of the first user equipment to a first media communication server in response to a user's action during an established real-time media session. The method

includes sending second signaling from the first media communication server towards the first user equipment. The method also includes sending third signaling from the first media communication server towards second user equipment. The method includes sending, immediately after one of the first, the second, and the third signaling, dummy media traffic from the first media communication server towards the first and a second user equipment, in order to trigger a dedicated-channel setup for at least one of the first and second user equipment in their respective serving access networks, and prior to beginning an actual user media stream from the first user equipment.

Claim 7, upon which claims 8-12 are dependent, recites a method. The method includes establishing a real-time media session between a first user equipment and a second user equipment via a serving access network of the first user equipment, via at least a first media communication server, and via a serving access network of the second user equipment. The method also includes sending, by one of the media communication server and a support node in a packet-switched core network during inactive periods of the real-time media session, dummy media towards at least one of the first and second user equipment in order to reset an inactivity timer of a common channel state in the serving access network of the respective user equipment and to thereby prevent the respective user equipment from going to an idle state.

Claim 13, upon which claims 14-17 are dependent, recites an apparatus. The apparatus includes a receiver configured to receive first signaling sent by a first user equipment via a serving access network of the first user equipment in response to user's

action during an real-time media session established between the first user equipment and a second user equipment. The apparatus also includes a transmitter configured to send second signaling towards the first user equipment upon receiving the first signaling, and send third signaling towards the second user equipment upon receiving the first signaling. The transmitter is also configured to send, immediately following one of the first, second, and third signaling, dummy media traffic towards one of the first and second user equipment in order to trigger a dedicated channel setup for the one of the first and the second user equipment in a respective serving access network prior to beginning an actual user media stream from the first user equipment.

Claim 18, upon which claims 19-21 are dependent, recites an apparatus. The apparatus includes an establisher configured to establish a real-time media session between a first user equipment and a second user equipment via a serving access network of the first user equipment and via a serving access network of the second user equipment. The apparatus also includes a transmitter configured to send, during inactive periods of the real-time media session, dummy media towards at least one of the first and second user equipment in order to reset an inactivity timer of a common channel state in the serving access network of the respective user equipment and to thereby prevent the respective user equipment from going to an idle state.

Claim 22, upon which claims 23 and 24 are dependent, recites an apparatus, The apparatus includes an establisher configured to establish a real-time media connection between a user equipment located in a radio access network and a media communication

server. The apparatus also includes a transmitter configured to send, during inactive periods of the real-time media connection, dummy media towards the user equipment in order to reset an inactivity timer of a common channel state in the radio access network and to thereby prevent the respective user equipment from going to an idle state.

Claim 25, upon which claims 26-32 are dependent, recites an apparatus. The apparatus includes an establisher configured to establish a real-time media session via an access network and a media communication server. The apparatus includes a transmitter configured to send a first signaling via the access network to the media communication server in response to user's action during the established real-time media session. The transmitter is also configured to send immediately following the first signaling dummy media traffic to the media communication server in order to trigger a dedicated channel setup for the user equipment in the access network of the user equipment prior to beginning an actual user media stream.

Claim 33 recites an apparatus that includes a receiving means for receiving a first signaling sent by a first user equipment via a serving access network of the first user equipment in response to user's action during an real-time media session established between the first user equipment and a second user equipment. The apparatus includes a sending means for sending a second signaling towards the first user equipment upon receiving the first signaling. The apparatus also includes a signaling sending means for sending third signaling towards the second user equipment upon receiving the first signaling. The apparatus includes a dummy media traffic sending means for sending,

immediately following one of the first, second, and third signaling, dummy media traffic towards one of the first and second user equipment in order to trigger a dedicated channel setup for the one of the first and the second user equipment in a respective serving access network prior to beginning an actual user media stream from the first user equipment.

Claim 34 recites an apparatus that includes an establishing means for establishing a real-time media session between a first user equipment and a second user equipment via a serving access network of the first user equipment and via a serving access network of the second user equipment. The apparatus also includes a sending means for sending during inactive periods of the real-time media session, dummy media towards at least one of the first and second user equipment in order to reset an inactivity timer of a common channel state in the serving access network of the respective user equipment and to thereby prevent the respective user equipment from going to an idle state.

Claim 35 recites an apparatus that includes an establishing means for establishing a real-time media connection between a user equipment located in a radio access network and a media communication server. The apparatus also includes a sending means for sending, during inactive periods of the real-time media connection, dummy media towards the user equipment in order to reset an inactivity timer of a common channel state in the radio access network and to thereby prevent the respective user equipment from going to an idle state.

Claim 36 recites an apparatus that includes an establishing means for establishing a real-time media session via an access network and a media communication server. The

apparatus also includes a sending means for sending a first signaling via the access network to the media communication server in response to user's action during the established real-time media session. The apparatus includes a dummy media traffic sending means for sending immediately following the first signaling dummy media traffic to the media communication server in order to trigger a dedicated channel setup for the user equipment in the access network of the user equipment prior to beginning an actual user media stream.

As will be discuss below in further detail, it is submitted that Rosen and Grob, taken alone or in combination, fails to disclose, either expressly or implicitly, all of the elements of the claims, and therefore fails to provide the features discussed above.

Rosen generally discusses a point to multi-point communications system ... for delivering information to an idle mobile station in a group communication network (see Rosen, Paragraph [0002]). More specifically, Figure 4 of Rosen illustrates an exemplary call signal for a network-initiated dormancy wakeup process (see Rosen, Paragraph [0072]). According to Rosen, after the [communications manager] CM receives [push-to-talk] PTT floor-control request 310 (Figure 3), the CM may send wakeup triggers 402 directed to target listeners (see Rosen, Paragraph [0072]). The [packet data service node] PSDN may determine whether a packet-data session exists for the target mobile, and forwards the trigger packet to the appropriate infrastructure element, e.g., a base station. The infrastructure element may page 406 each individual target [mobile station] MS to start re-establishing its dedicated traffic channel (see Rosen, Paragraph [0072]).

However, it is respectfully submitted that the wake-up signal described in Rosen is not sent "*to trigger a dedicated-channel setup* for at least one of the first and second user equipment in their respective serving access networks", as recited in claim 1, and as similarly recited in claims 13, 25, 33, and 36 (emphasis added), nor is the wake-up signal sent "to reset an inactivity time", as recited in claim 7, and as similarly recited in claims 18, 22, 34, and 35, instead the wake-up signal described in Rosen appears to be transmitted to each individual target MS to re-establish its dedicated traffic channel.

Furthermore, the Office Action has acknowledged that Rosen does not teach sending dummy media traffic immediately after one of the first, the second and the third signaling from the first media communication server towards the user equipment and relies on Column 8, Lines 39-41 and Column 9, Lines 46-50 of Grob to teach such a feature (see Office Action, Page 3, Line 18 - Page 4, Line 5).

However, it is respectfully submitted Grob fails cure the deficiencies of Rosen for at least the following reasons.

Grob generally discusses a dispatch system and, more particularly, to access regulation in a dispatch system (see Grob, Column 1, Lines 12-13). More particularly, Grob states:

> [i]n a standard [code division multiple access] CDMA system the process of receiving a grant to allocate resources and the process of allocating the resources may take several seconds as well as a substantial amount of processing resources. In order to preserve system resources and to avoid the associated delay ... when a remote unit presses the push-to-talk button, a set of resources is allocated. When the remote unit releases the push-to-talk button, the resources remain dedicated to the remote unit for some

> period of time. During the time when the user is not depressing the push-to-talk button, the remote unit [is] designated as active and is [the] to be hanging. *A remote unit which is hanging sends and receives a low rate series of idle message to preserve the link power control.* In this way, when the remote unit user subsequently depresses the push-to-talk button, the link is completely established and immediately responsive

(see Grob, Column 8, Lines 28-44, emphasis added).

As such it appears, and as the Office Action admitted on page 4, line 5, that the idle messages described in Grob are merely sent and received "to preserve the link power control", instead of "*sending ... dummy media traffic ...* towards the first and a second user equipment ... *to trigger a dedicated-channel setup for at least one of the first and second user equipment in their respective serving access networks*" (emphasis added), as recited in claim 1, and as similarly recited in claims 13, 25, 33, and 36. Moreover, the idle message described in Grob also fails to constitute a "dummy media", as recited in claim 7, for example, because the idle message described in Grob is sent and received to simply preserve the link power control rather than "to reset an inactivity timer of a common channel state", as recited in claim 7, and as similarly recited in claims 18, 22, 34, and 35.

Furthermore, Column 9, Lines 43-51 of Grob further establishes that the idle messages are sent and received to preserve the link control power. More particularly, Column 9, Lines 43-51 of Grob states:

> Block 106 asks if the communication manager has denied system talker privileges. If the answer is yes, flow continues to block 118. Blocks 118, 120, 122, 124, and 126 implement the hang time feature. When the remote unit is 'hanging,' it *is sending and receiving idle frames to preserve the*

link. The idle frames fill the system with data so that the system resources remain allocated and the power control on the forward and reverse links continues to function.

As such, one of ordinary skill in the art at the time the invention was made would not have read the "idle frames" described in Grob to constitute a "dummy media traffic ... [sent] to trigger a dedicated-channel setup for at least one of the first and second user equipment in their respective serving access networks", as recited in claim 1, and as similarly recited in claims 13, 25, 33, and 36. Furthermore, nor would one of ordinary skill in the art at the time the invention was made have read the "idle frames" described in Grob to constitute a "dummy media ... [sent] to reset an inactivity time of a common channel state", as recited in claim 7, and as similarly recited in claims 7, 18, 22, 34, and 35.

Therefore, one of ordinary skill in the art at the time the invention was made would not have modified Rosen with Grob to yield the invention. Thus, for at least the reasons stated above, it is respectfully submitted that Rosen and Grob, taken alone or in combination, fail to disclose, either expressly or implicitly, all of the elements recited in claims 1, 7, 13, 18, 22, 25, and 33-36. Accordingly, it is respectfully requested that the rejection of claims 1, 7, 13, 18, 22, 25, and 33-36 be withdrawn and these claims allowed.

As such, dependent claims 4, 5, 8-10, 13-15, 20, 26, and 27 should be allowed for at least the same reasons as their respective base claims, from which they depend, and for the specific limitations recited therein.

Claims 6, 11, 12, 16, 21, 23, 24, and 28 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Rosen in view of Grob and further in view of Barany et al. (U.S. Publication No. 2002/0034166, hereinafter "Barany").

Barany generally discusses packet-based calls in wireless networks (see Barany, Paragraph [0002]). More particularly, Barany describes a method of providing a call in a wireless network [by] sending an identifier to identify the call as a packet-switched call and communicating control signaling in traffic channels of the wireless network to establish the packet-switched call (see Barany, Paragraph [0010]).

However, Barany fails to cure the deficiencies of Rosen and Grob as discussed above. Similarly, to Rosen and Grob, Barany fails to disclose, either expressly or implicitly, at least, "sending ... dummy media traffic ... to trigger a dedicated-channel setup for at least one of the first and second user equipment in their respective serving access networks", as recited in claim 1, and as similarly recited in claims 13, 25, 33, and 36, and also fails to disclose, either expressly or implicitly, at least, "sending ... dummy media ... to reset an inactivity time of a common channel state", as recited in claim 7, and as similarly recited in claims 7, 18, 22, 34, and 35. Therefore, the combination of Rosen, Grob, and Barany does not disclose, either expressly or implicitly, all of the limitations of claims 1, 7, 13, 18, 22, 25, and 33-36.

Claims 6, 11, 12, 16, 21, 23, 24, and 28 are dependent upon claims 1, 7, 13, 18, 22, and 25, respectively. Accordingly, claims 6, 11, 12, 16, 21, 23, 24, and 28 should be

allowed for at least their dependence upon claims 1, 7, 13, 18, 22, and 25, and for the specific limitations recited therein.

Claims 2, 3, 17, 19, and 29-32 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Rosen in view of Grob and further in view of Noel et al. (U.S. Patent No. 7,266,382, hereinafter "Noel").

Noel generally discusses wireless communications using a push-to-talk feature ... for buffering the initial talk burst of a call on a wireless standard-based packet data network to decrease the perceived call setup time (see Noel, Column 1, Lines 8-12).

However, Noel fails to cure the deficiencies of Rosen and Grob as discussed above. Similarly, to Rosen and Grob, Noel fails to disclose, either expressly or implicitly, at least, "sending ... dummy media traffic ... to trigger a dedicated-channel setup for at least one of the first and second user equipment in their respective serving access networks", as recited in claim 1, and as similarly recited in claims 13, 25, 33, and 36, and also fails to disclose, either expressly or implicitly, at least, "sending ... dummy media ... to reset an inactivity time of a common channel state", as recited in claim 7, and as similarly recited in claims 7, 18, 22, 34, and 35. Therefore, the combination of Rosen, Grob, and Noel does not disclose, either expressly or implicitly, all of the limitations of claims 1, 7, 13, 18, 22, 25, and 33-36.

Claims 2, 3, 17, 19, and 29-32 are dependent upon claims 1, 7, 13, 18, 22, and 25, respectively. Accordingly, claims 2, 3, 17, 19, and 29-32 should be allowed for at least

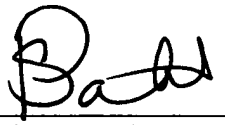
their dependence upon claims 1, 13, 18, and 25, and for the specific limitations recited therein.

For at least the reasons discussed above, Applicants respectfully submit that none of the cited references, taken alone or in combination, disclose, either expressly or implicitly, all of the elements of the claimed invention. These distinctions are more than sufficient to render the claimed invention unobvious. It is therefore respectfully requested that all of the claims 1-36 be allowed, and this application passed to issue.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the applicants' undersigned representative at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper is not being timely filed, the applicants respectfully petition for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,



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